

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

BRANDY R. MCKINNON,

*Plaintiff,*

v.

HOBBY LOBBY STORES, INC., KIM  
GREENLEE, STORE MANAGER AT  
STORE #36;

*Defendants.*

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Case No. 2:18-CV-00179-JRG-RSP

**ORDER**

The above entitled and numbered civil action was referred to United States Magistrate Judge Roy S. Payne pursuant to 28 U.S.C. § 636. Now before the Court is the Report & Recommendation (Dkt. No. 27) by Magistrate Judge Payne, which recommends that Defendants' Motion to Dismiss (Dkt. No. 8) be denied. No party has objected to the Report & Recommendation.

Having reviewed Magistrate Judge Payne's report, Defendants' motion, and Plaintiff's responses (Dkt. Nos. 5614 and 15), the Court concludes Magistrate Judge Payne's Report & Recommendation is correct. The Report & Recommendation (Dkt. No. 27) is hereby **ADOPTED**. Accordingly, Defendants' Motion to Dismiss (Dkt. No. 8) is **DENIED**.

**So ORDERED and SIGNED this 26th day of November, 2018.**

  
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RODNEY GILSTRAP  
UNITED STATES DISTRICT JUDGE